

Issued by THE LABOR AND INDUSTRIAL RELATIONS COMMISSION

MAY 01 2006

ORDER OF COMMISSION

 SECRETARY OF STATE
 COMMISSION DIVISION

In the matter of Objection Nos. 082-086 filed by Carpenters' District Council of Kansas City and Vicinity, on April 14, 2006, to Annual Wage Order No. 13, pertaining to the wage rate for the occupational title of Carpenter in the Missouri Counties of Barry – Section 005, Henry – Section 042, Holt – Section 044, Moniteau – Section 068, and Saline – Section 101, issued by the Division of Labor Standards, Department of Labor and Industrial Relations; filed with the Secretary of State: March 10, 2006.

On March 10, 2005, a certified copy of Annual Wage Order No. 13 containing the initial determination of the prevailing hourly wages in each locality for each occupational title was filed with the Missouri Secretary of State. On April 14, 2006, an objection thereto was filed on behalf of Carpenters' District Council of Kansas City and Vicinity for Barry, Henry, Holt, Moniteau, and Saline counties.

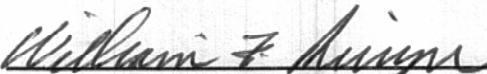
"At any time within thirty days after the certified copies of the determinations have been filed with the secretary of state and the department, any person who is affected thereby may object in writing to a determination or a part thereof that he deems objectionable by filing a written notice with the department, stating the specific grounds of the objection. If no objection is filed, the determination is final after thirty days."

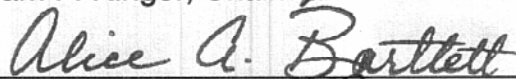
Section 290.262.3 RSMo (2000).

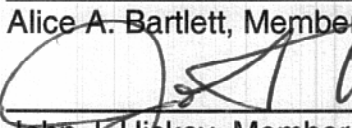
Timely filing is a jurisdictional prerequisite to action by an agency. *St. Louis-San Francisco Ry. Co. v. Mayor's Comm'n on Human Rights & Community Relations*, 572 S.W.2d 492, 493 (Mo. App. 1978). The objection filed on behalf of Carpenters' District Council of Kansas City and Vicinity was not filed within thirty days of the filing with the Missouri Secretary of State as required by Section 290.262.3 RSMo (2000). As such, we find that it was not timely filed. As the statute makes no provision or exception for good cause for an untimely filing, this Commission has no jurisdiction regarding this objection. Accordingly, the objection is hereby dismissed.

Given at Jefferson City, State of Missouri, this 1st day of May 2006.

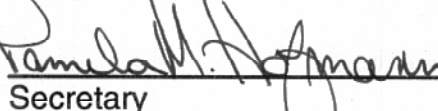
LABOR AND INDUSTRIAL RELATIONS COMMISSION


 William F. Ringer, Chairman


 Alice A. Bartlett, Member


 John J. Hickey, Member

Attest:


 Secretary
